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8/12/02 16769
JOP 8/12/02

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/807,757	
	Filing Date	April 17, 2001	
	First Named Inventor	Gary K. Owens et al.	
	Group Art Unit	1636	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission	1	Attorney Docket Number	021258-000500US

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Office Action dtd 07/01/02 Substitute Sequence Listing (in paper format and CRF) Return Postcard
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm and Individual name	Townsend and Townsend and Crew LLP Hugh Wang Reg. No. 47,163
Signature	
Date	August 1, 2002

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: August 1, 2002		
Typed or printed name	Kathy Johnston	
Signature		Date August 1, 2002

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/807,757	04/17/2001	Gary K. Owens	00148-03	4147

7590 07/01/2002

John P Breen
1224 West Main Street Suite 1 110
Charlottesville, VA 22903

EXAMINER

PAPPU, SITA S

ART UNIT

PAPER NUMBER

1636

DATE MAILED: 07/01/2002

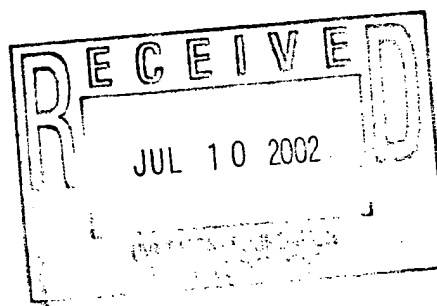
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/807,757	04/17/2001	Owens et al.	9426-016-228

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EXAMINER	
Sita S. Pappu	
ART UNIT	PAPER NUMBER
1636	9

Please find below a communication from the EXAMINER in charge of this application

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

Sequences are disclosed in the specification but are not identified by their sequence identifiers (i.e. SEQ ID NO). For example, Figures 10, 12 and 13 discloses amino acid sequences, that are not identified by sequence identifiers either in Figures or in Brief description of Figures. Applicant is further reminded that amendment to the specification, and/or figures is required to comply with 37 C.F.R. 1.821(d). Each sequence disclosed in the specification and figures must be identified by its sequence identifier (i.e., SEQ ID NO:). Since the specification discloses sequences that are not identified by their sequence identifier, it is unclear if all disclosed sequences are included in the sequence listing. Applicant is advised that, a substitute CRF and paper copy of the Sequence Listing are required only if the sequences are not already included in the Sequence Listing. Applicant is reminded that the entire specification and figures should be reviewed for sequence disclosures.

APPLICANT IS GIVEN 30 days FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Sita S. Pappu whose telephone number is (703) 305-5039. If the examiner cannot be reached, inquiries can be directed to Supervisory Patent Examiner Irem Yucel whose telephone number is (703) 305-1998. The fax number for the organization where this application is assigned is (703) 308-8724. Any inquiry of a general nature or relating to the status of this application should be directed to the Patent Analyst, Tracey Johnson, at (703) 305-2982.

Anne-Marie Baker
ANNE-MARIE BAKER
PATENT EXAMINER

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: Sequences are disclosed in the specification but are not identified by their sequence identifiers (i.e. SEQ ID NO). Since the specification discloses sequences that are not identified by their sequence identifier, it is unclear if all disclosed sequences are included in the sequence listing. Applicant is advised that, a substitute CRF and substitute paper copy of the Sequence Listing are required only if the sequences are not already included in the Sequence Listing. Applicant is reminded that the entire specification and figures should be reviewed for sequence disclosures. Applicant is further reminded that amendment to the specification, and/or figures is required to comply with 37 C.F.R. 1.821(d).

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry in the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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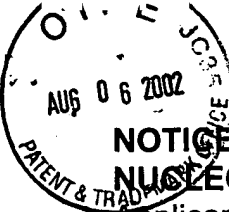
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Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

1. Electronically submitted through EFS-Bio
(<http://www.uspto.gov/ebs/efs/downloads/documents.htm>),
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